1 2 3 4 5 6 7 8 9 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 10 AT TACOMA 11 JAMES ERNEST DICKERSON, 12 Petitioner, Case No. C05-5793RJB 13 v. ORDER DENYING 14 CAROL PORTER, PETITIONER'S MOTIONS 15 Respondent. 16 17 This 28 U.S.C. § 2254 petition for habeas corpus relief has been referred to the undersigned 18 Magistrate Judge pursuant to 28 U.S.C. § 636 (b) and local Rules MJR 3 and 4. Petitioner in this 19 action, CO5-5793RJB, is seeking federal habeas corpus relief pursuant to 28 U.S.C. § 2254. 20 Petitioner has bombarded the court with motions and letters since the beginning of this case. On 21 April 25<sup>th</sup>, 2006 the court entered an order that addressed most, but not all, of the filings. (Dkt. # 22 54). This order addresses motions filed prior to April 25<sup>th</sup>, 2006 that were not ripe for review. 23 Before the court are: 24 1. Motion to amend an affidavit. (Dkt. # 57) 25 2. Motion to supplement an affidavit. (Dkt. # 59) 26 Motion to supplement exhibits with an affidavit. (Dkt. # 68) 3. 27 28 ORDER-1

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1	4. Motion for production of documents including jury questionnaires. (Dkt. # 60)		
2	5. Motion for a continuance. (Dkt. # 62)		
3	6. Motion to subpoena witnesses. (Dkt. # 64)		
4	7. Motion for production of documents. (Dkt. # 66 (duplicative of #60)).		
5	The motions are <b>DENIED WITHOUT PREJUDICE.</b> As the court explained on April 25 <sup>t</sup>		
6	2006, the respondent has filed a motion to dismiss and claims this petition is time barred. That		
7	motion is noted to be heard May 26 <sup>th</sup> , 2006. If respondent is correct the court should not consider		
8	any issue on the merits of this case. Petitioner was instructed to file a response to the motion to		
9	dismiss that addressed only the time bar issue. (Dkt. # 54).		
10	The clerk is directed to send copies of this order to petitioner and counsel for respondent		
11	and to remove docket numbers 57, 59, 60, 62, 64, 66, and 68 from the courts calendar.		
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13	DATED this 19th day of May, 2006.		
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15	<u>/S/ J. Kelley Arnold</u> J. Kelley Arnold		
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